

TO: Mr. Roberto Fonseca-Martinez  
FROM: Robert E. Pickett  
DATE: 10/26/2005

## CATEGORICAL EXCLUSION DOCUMENTATION

Date CE level document approved by FHWA VA Division: 06/09/05

FHWA Contact: John Simkins

Route: 609

State Project Number: 0609-057-140, P106, R201, M501, B601

From: Approaches and bridge over Garden Creek Irrigation Canal

To: 1.0 mile east of Route 610

Federal Project Number: BROS-057-6(011)

County/City: Mathews County

UPC ID: 18443

Project in STIP: Yes ☒

**Project Description:** To replace an existing one-lane bridge with a one-lane structure including reconstruction to tie-in the bridge approaches. The proposed structure will be on approximate existing alignment, have a minimum 16-foot width and a length of 50 to 100 feet, have a height no greater than 18 to 24 inches above existing grade at the middle of the bridge, maintain the hydraulic opening, and will meet load requirements for secondary roads.

CE Category 23 CFR 771.117: (d) (3)

**Description of Category:** Bridge rehabilitation, reconstruction or replacement or the construction of grade separation to replace existing at-grade railroad crossings.

USGS Map ☒

Logical Termini and

Independent Utility: Yes ☒ N/A ☐ (For Non-highway construction only, explain in comments below)

Comments: The project need has evolved from safety concerns related to the relatively low 9-ton bridge posting, to current Virginia Department of Transportation recommendations for replacement of the bridge substructure constructed in October of 1959, and from inspection findings of significant wing wall scour, based on Structure Inspection Reports, VDOT, including that of 10/6/05.

**Typical Section:** Existing: Approximate 14 foot wide, timber deck bridge with steel floor beams.

**Structures:** Bridge structure #6001 to be replaced with a new structure.

SOCIO-ECONOMIC	PRESENT		IMPACTS	
	YES	NO	YES	NO
Minority/Low Income Populations: "There are no minority or low-income populations present along the route of the proposed project." Mathews County Planning and Zoning Office, 8/5/05.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disproportionate Impacts to Minority/Low Income Populations: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
Existing or Planned Public Recreational Facilities - A public, non-swimming beach exists at Bethel Beach, located adjacent to but off of the proposed project limits.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Source:</i> Mathews County Planning and Zoning Office and the DCR 2002 Virginia Outdoors Plan.				
Community Services - "Community services will diminish temporarily during construction; however services will likely improve as a result of the project."	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Source:</i> Mathews County Planning and Zoning Office, 8/5/05.				
Consistent with Local Land Use: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
<i>Source:</i> "The proposed project is consistent with community goals." Mathews County Planning and Zoning Office, 8/5/05.				

Comments:

SECTION 4(f) and SECTION 6(f)	YES	NO
Use of 4(f) Property: Acres: 0	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Individually Eligible Historic Property:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Contributing Element to Historic District:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Source:</i> Virginia Department of Historic Resources and Virginia Department of Transportation Cultural Resources staff.		
Public Recreation Area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Park:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Wildlife/Waterfowl Refuge:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Planned Public Park, Recreation Area, Wildlife or Waterfowl Refuge:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Source:</i> Mathews County Planning and Zoning Office and the DCR 2002 Virginia Outdoors Plan.		
Constructive Use:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Section 4(f) Evaluation Attached:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Conversion of 6(f) Property: Acres: 0	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments: The Virginia Department of Conservation and Recreation Bethel Beach Natural Area Preserve is adjacent to the proposed project. The 6(f) property review is based on the 6(f) properties listing dated 1/10/05 from Nick Nies, Virginia Department of Transportation. 6(f) parks review also conducted in the CEDAR database layer on 08/04/05.

CULTURAL RESOURCES	COMPLETE	N/A
<b>Source:</b> Virginia Department of Transportation Cultural Resources staff and the Virginia Department of Historic Resources, 5/2/05.		
"No Effect" Pursuant to 1999 DHR Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Phase I Architecture Conducted	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Phase II Architecture Conducted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Phase I Archaeology Conducted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Phase II Archaeology Conducted	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Effect on Historic Properties: No Effect  
DHR Concurrence on Effect: Yes ☒  
MOA Attached: Yes ☐ N/A ☒

Comments: Per correspondence signed May 2, 2005, the Virginia Department of Historic Resources concurred that the Garden Creek Irrigation Canal is not eligible for listing on the National Register of Historic Places.

NATURAL RESOURCES	PRESENT		IMPACTS	
	YES	NO	YES	NO
Surface Water (Name: Garden Creek Irrigation Canal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<150 Linear ft.	
<b>Source:</b> Virginia Department of Transportation Project Manager, dated 10/3/05 (concerning impact footage).				
Federal Threatened or Endangered Species:				
Terrestrial: None None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aquatic: None None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Plants: None None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> Virginia Department of Conservation and Recreation, Virginia Department of Game and Inland Fisheries, as coordinated through Don West, 9/8/05 and 9/22/05, respectively.				
100 Year Floodplain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "Yes" then identify the regulatory floodway zone: Zone VE				
<b>Source:</b> Federal Emergency Management Agency, Flood Insurance Rate Map (1992), 510096 0013C				
Wetlands: Tidal wetlands.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<1/2 Acres	
If yes, there are no practicable alternatives to the construction in wetlands and the action will include all practicable measures to minimize harm to the impacted wetlands.			Type: Tidal	
<b>Source:</b> Virginia Department of Transportation Water Quality staff				
Permits Required:	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
If yes, the project may qualify for NW #23 and NW#33.				
Compensatory Mitigation Required:	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<b>Source:</b> Virginia Department of Transportation Water Quality staff				

Comments: Water Quality permitting to be established through the Inter-Agency Coordination Meeting. Coordination efforts for the bald eagle, loggerhead turtle, and northeastern beach tiger beetle have resulted in no significant comment or time-of-year restrictions to date. Additional NEPA resource agency coordination was conducted through project presentation at the Inter-Agency Coordination Meeting on

October 12, 2005. Continued coordination of species will also occur during water quality permit acquisition for the project in 2006.

AGRICULTURAL/OPEN SPACE	Present		IMPACTS	
	YES	NO	YES	NO
Open Space Easements – No conservation easements held by the Virginia Outdoor Foundation per their 9/10/97 correspondence during SERP. Lack of VOF holdings reaffirmed by CEDAR review of VOF data layer on 8/4/05.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> Virginia Outdoor Foundation and VOF data layer in CEDAR.				
Agricultural/Forestal Districts - None	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> No agricultural/forestal districts present per review of agricultural/forestal district data layer in CEDAR on 8/4/05.				

Comments:

FARMLAND	YES	NO
NRCS Form CPA-106 Attached:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rating:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alternatives Analysis Required:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>If Form CPA-106 is not attached check all that are applicable:</b>		
Land already in Urban use:	<input type="checkbox"/>	<input type="checkbox"/>
Entire project in area <i>not</i> zoned agriculture:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NRCS responded within 45 days:	<input type="checkbox"/>	<input type="checkbox"/>
<b>Source:</b> Virginia Department of Transportation staff project site inspection. Latest inspection on 10/5/05 and Mathews County Planning and Zoning Office, dated 8/5/05.		

Comments: There is no farmland within or adjacent to the project. "Most of the property along this section of road is zoned Conservation." Other portions of the roadway are zoned Rural or Residential-1, per the Mathews County Planning and Zoning Office, dated 8/5/05.

INVASIVE SPECIES	Present		
	YES	NO	UNKNOWN
Invasive Species in the project area:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VDCR indicated that the potential exists for some VDOT projects to further the establishment of invasive species. All seeds used will be tested in accordance with the Virginia Seed Law to ensure there are not prohibited Noxious Weed-Seeds in the seed mixes.

Comments:

AIR QUALITY	YES	NO
Air Analysis Required:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "No", indicate which exemption it falls under:		

<input type="checkbox"/> Exempt Project – According to 40 CFR 93.126 (table 2 exempt project), the project is identified as being exempt from air quality analysis. Since the project is exempt from an air quality analysis, it can be concluded that the project will not significantly impact air quality nor will it cause or contribute to an exceedance of the National Ambient Air Quality Standard for carbon monoxide.		
<input type="checkbox"/> LOS Criteria – All of the intersections/interchanges in the project area or directly affected by the project are forecasted to operate at a level of service (LOS) of "C" or better in the design year. According to 40 CFR 93.123, only a qualitative analysis must be conducted for this project, therefore, it can be reasonably concluded that this project will not significantly impact air quality nor will it cause or contribute to an exceedance of the National Ambient Air Quality Standard for carbon monoxide.		
<input checked="" type="checkbox"/> Traffic Volume – The project does not include or directly affect any roadway whose design year daily traffic volume would exceed the traffic thresholds outlined in the Memorandum of Understanding (MOU) between VDOT and FHWA for streamlining the project-level air quality analysis process. Modeling using "worst" case parameters has been conducted for these thresholds and it has been determined that projects below these thresholds, such as this one, would not significantly impact air quality nor will it cause or contribute to an exceedance of the National Ambient Air Quality Standards for carbon monoxide.		
Air Analysis Attached:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Source:</u> Virginia Department of Transportation Air Quality staff, dated 8/12/05 in CEDAR.		
Maintenance or Non-Attainment Area:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
In Long Range Plan & TIP:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Source:</u> Virginia Department of Transportation District Transportation Planner, dated 8/15/05.		

Comments:

NOISE	YES	NO
Type I Project:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Source:</u> Virginia Department of Transportation Noise analysis staff, CEDAR, dated 8/26/05.		
Noise Analysis Attached:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Barriers Under Consideration:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Source:</u> Virginia Department of Transportation Noise analysis staff, CEDAR, dated 8/26/05.		

Comments:

RIGHT OF WAY AND RELOCATIONS	YES	NO
Residential Relocations: If "Yes", number: No permanent relocations, but 3 temporary residential relocations during estimated "thirty four hour closures for as many as six different times during the construction." This was established through early ROW discussions with the residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Source:</u> VDOT, Right of Way, Relocation Assistance Report dated 9/29/05.		
Commercial Relocations: If "Yes", number: No permanent displacements, but 1 temporary commercial relocation during estimated "thirty four hour closures for as many as six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

different times during the construction." This was established through early ROW discussions with the commercial owner.		
<b>Source:</b> VDOT, Right of Way Section, Relocation Assistance Report dated 9/29/05.		
Non-profit Relocations: If "Yes", number:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> VDOT, Right of Way Section, Relocation Assistance Report dated 9/29/05.		
Right of Way required: If "Yes", acreage amount: Temporary construction easements will be obtained. Area is estimated as under 1/2 acre at this time.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> Virginia Department of Transportation Project Manager, 10/3/05.		

	PRESENT		IMPACTS	
	YES	NO	YES	NO
Septic Systems or Public Water Supplies:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> Virginia Department of Transportation staff field inspection and review of the land use data layers in CEDAR on 7/25/05 and 8/4/05, respectively.				
Hazardous Materials:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> Virginia Department of Transportation Hazardous Materials staff field inspection and review of the environmental quality CEDAR data layers on 8/4/05.				

Comments: No homes or improved properties are adjacent to this project.

CUMULATIVE AND INDIRECT IMPACTS	Present		
	YES	NO	N/A
Present or reasonably foreseeable future projects (highway and non-highway) in the area: None per Mathews County Planning and Zoning Office, dated 8/5/05.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Impact same resources as the proposed highway project (i.e. cumulative impacts): None, as noted above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indirect (Secondary) impacts: "Most of the property along this section of road is zoned Conservation.....There is no minimum lot size in the Conservation District; however, residential and commercial development is prohibited in this district." Also, "the high seasonal water table precludes significant additional development."	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Source:</b> Mathews County Planning and Zoning Office, dated 8/5/05 and Virginia Department of Transportation staff.			

Comments:

PUBLIC INVOLVEMENT	YES	NO
Substantial Controversy on Environmental Grounds: "The county government is not aware of any organized opposition to this proposed project."	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Source:</b> Mathews County Planning and Zoning Office, dated 8/5/05.		

Public Hearing: If "Yes", type of hearing: A Location and Design public hearing is anticipated per Project Manager, dated 10/20/05.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Involvement Activities: If "Yes", type of Involvement: The Right of Way Section of VDOT has conducted coordination meetings with the 3 resident and 1 commercial property owners east of the project to discuss the project and the proposed temporary relocations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments: Coordination of the proposed project with the United States Coast Guard, per correspondence dated October 22, 1997, provided advanced approval to construct the bridge across Garden Creek Irrigation Canal. They state that, "an individual permit will not be required for this project, on the condition that there will be no significant adverse impacts on the environment".

### **COORDINATION**

The following agencies were contacted during development of this study:

Mathews County Administrator  
Mathews County Planning and Zoning Office  
National Marine Fisheries Services  
U. S. Army Corps of Engineers  
U. S. Environmental Protection Agency  
U. S. Fish and Wildlife Service  
Virginia Department of Conservation and Recreation  
Virginia Department of Environmental Quality  
Virginia Department of Game and Inland Fisheries  
Virginia Department of Health  
Virginia Department of Historic Resources  
Virginia Department of Transportation  
Virginia Institute of Marine Science  
Virginia Marine Resources Commission

This project meets the criteria for a Categorical Exclusion pursuant to 40 CFR 1508.4 and 23 CFR 771.117 and will not result in significant impacts to the human or natural environment.